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Forty-sixth session

SUMMARY RECORD OF THE FIRST PART* OF THE 52nd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 6 March 1990, at 3 p.m.

Chairman: Mrs. QUISUMBING (Philippines)

later: Mrs. SINEGIORGIS (Ethiopia)

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* The summary record of the second part of the meeting appears as document E/CN.4/1990/SR.52/Add.1.

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The meeting was called to order at 3.20 p.m.

MEASURES TO BE TAKEN AGAINST ALL TOTALITARIAN OR OTHER IDEOLOGIES AND PRACTICES, INCLUDING NAZI, FASCIST AND NEO-FASCIST, BASED ON RACIAL OR ETHNIC EXCLUSIVENESS OR INTOLERANCE, HATRED, TERROR, SYSTEMATIC DENIAL OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, OR WHICH HAVE SUCH CONSEQUENCES (agenda item 21) (continued) (E/CN.4/1990/NGO/11, E/CN.4/1990/L.82)

1. Mr. OGOURTSOV (Observer for the Byelorussian Soviet Socialist Republic) recalled that the United Nations had been founded after the victory of the forces of peace and liberty over Hitlerite fascism and other totalitarian ideologies. However, those ideologies, which had been defeated in 1945, were still alive. Neo-Nazi groups existed in many countries, as did closely related movements of the right and extreme right. Mankind had to protect itself against those phenomena by strenghtening democracy and human rights. Totalitarianism led to extremes of violence and cruelty, as borne out by the experience of the Byelorussian Soviet Socialist Republic. One quarter of its population had been killed by the Nazi forces during the Second World War, and it was not until 1985 that its population had regained its previous level of over 10 million.

2. Mr. OMAR (Observer for the Libyan Arab Jamahiriya) said that the item under discussion was dealt with every two years only in the Commission. The relevant General Assembly resolution 43/150, called upon "all Governments to pay constant attention to educating the young in the spirit of respect for international law and fundamental human rights and freedoms and against Fascist, neo-Fascist and other totalitarian ideologies and practices based on terror, hatred and violence" (operative paragraph 4). The current use of certain methods to incite children and young people to hatred, and in particular hatred of Muslims, was therefore deplorable. In the United States of America, toys and computer games were sold for that purpose. Some of the games pictured on television screens, in front of children, objectives to be destroyed in the Libyan Arab Jamahiriya, whose coastline, cities and Mig aircraft were clearly identifiable. There were also pictures showing objectives in Iran, in Palestine and elsewhere. For "Halloween" in the United States, "sheikh" masks had been sold, representing an Arab carrying a barrel of oil. The cinema was also used to portray Arabs as stereotyped by the colonialists and Zionists, which completely distorted the real facts.

3. The press, too, ran propagandist articles hostile to Muslims. For example, an article had appeared in The Washington Times of 8 February 1990 entitled "A shift in history's course", which had been reprinted in The Japan Times. The author asked whether Islam might not become, in the eyes of some people, the greatest threat, replacing Communism, and replied in the affirmative quoting historical and contemporary evidence. He also stated that, in the USSR too, some people thought they were "in danger", and that for them it was "a nightmare" to have millions of Muslims living there. It was quite obvious that the racial prejudice expressed in such articles incited hatred, in violation of the relevant General Assembly and Commission resolutions.

4. He condemned the efforts currently being made to instal millions of Jews on the West Bank and in the Gaza Strip. To ensure the success of that programme, the Israeli authorities were adopting measures to force Palestinians to leave; another approach was to propose population exchanges

between Governments. At a time when much was being said about the right to leave one's country and to return to it, it was deplorable that such initiatives and, for that matter, the return of the Palestinians, should arouse such little interest. The attitude of the United States was ambiguous, in that its call for the departure of the Soviet Jews from the USSR, was accompanied by a restrictive immigration policy. The varying attitudes he had described encouraged the international Zionist movement to usurp the West Bank and the Gaza Strip. Those delegations which, especially in the Commission, denounced the General Assembly resolution which drew a parallel between zionism and racism, should first of all take a hard look at their own practices.

5. Mr. ADLING (Observer for the German Democratic Republic) said that, in the increasingly interdependent contemporary world, novel approaches were needed for the settlement of global human rights issues, and that humanist values were therefore assuming importance, the democratization process under way in his country being a clear illustration of that development. However, totalitarian manifestations, particularly of fascism and neo-fascism continue to exist.

6. His country was experiencing a resurgence of extreme right and neo-Fascist activities. Mindful of the experience of German history, it was well aware of the extent to which fascism could encourage human rights violations and threaten international peace and security. It was thus convinced that effective measures were needed at the national and international levels to oppose the activities of the Nazi, Fascist and neo-Fascist organizations. Efforts should also be made to counteract demonstrations of nationalist and racial arrogance, contempt and hatred against ethnic groups and peoples, the persecution and defamation of dissidents and the challenging of existing borders.

7. However, it had to be recognized that the millions of votes which the extreme right-wing and neo-Fascist groups had obtained in some elections reflected not only nationalist, xenophobic and neo-Fascist sentiments but also a social defence reaction. His Government, therefore, not only called upon all the Member States of the United Nations to take effective measures to combat Fascist and neo-Fascist ideologies and practices, but also advocated that totalitarian ideologies should be deprived of their foundation by combating social injustice and enhancing the cultural level and standard of living of the peoples. It had clearly been demonstrated in the German Democratic Republic that anti-Fascism imposed by decree was not enough: there were currently manifestations of xenophobia, intolerance, nationalism and neo-Fascist behaviour which caused concern among large sectors of the population. On 5 February 1990, Parliament had decided, with immediate effect, to declare illegal the activities of parties along those lines. Furthermore, the political forces in the country agreed that, in the interests of democracy, it had to come to terms with the past. A consistent analysis of the causes, mechanisms and consequences of Fascist ideologies and practices, and the education of young people in tolerance, democracy and human rights were therefore required.

8. Ms. FARHI (International Council of Jewish Women) said that one of the questions to be considered was whether democracies should allow activities by groups bent on destroying them. If so, it meant that democracies contained the seeds of their own destruction. Recalling the condemnation of the

incitement to national or racial hatred in article 20, paragraph 2, of the International Covenant on Civil and Political Rights and in article 4, subparagraph (a) of the International Convention on the Elimination of All Forms of Racial Discrimination, she emphasized that the emergence in European democracies of extreme right-wing or neo-Fascist and neo-Nazi parties was disturbing.

9. In France, propaganda continued to exacerbate anti-immigrant feeling. As the newspaper l'Express had put it, "There is a small persistent deposit of anti-Semitism available for exploitation." In that framework, Jean-Marie Le Pen's National Front was gaining spectacularly, having obtained 62 per cent of the votes in Dreux, 54 per cent in Salon de Provence and 49 per cent in Marseille and, overall, represented 10 per cent of the French electorate. Mr. Le Pen was an impenitent racist who made immigration, particularly from North Africa, the central issue of his campaigns. The French Government certainly criticized Mr. Le Pen, but at the same time played down the responsibility of his supporters, whom it described as "decent people" for fear of alienating part of the electorate.

10. In the Federal Republic of Germany, the extreme-right Republican Party, led by Franz Schoenhuber, a former member of the Waffen-SS, was not seriously bothered either, though at least there had been some discussion about the possibility of banning it. That party, which made no secret of its intense nationalism, xenophobia and anti-Semitism, not content with causing trouble in West Germany, was preparing to submit candidates for the Volkskammer elections on 6 May in the German Democratic Republic, a country whose own neo-Nazi movement extolled the Third Reich and had been guilty of many offences.

11. In Belgium, the French-speaking Belgian National Front made no secret of its racism and anti-Semitism, while the Flemish Vlaams Bloc was intensifying its campaigns against foreigners. The two allied parties had won 3 seats out of 64 in the Brussels Regional Council.

12. In Great Britain, xenophobic and anti-Semitic slogans abounded in the football grounds, encouraged by National Front propaganda. Unfortunately, no European country had escaped that resurgence of the extreme right. In the European Parliament, the right-wing group presided over by Mr. Le Pen which embraced the sister parties from Greece, Italy, Spain, the Netherlands, the Federal Republic of Germany and France, had won 11 per cent of the votes. Lastly, there was the reawakening of nationalism in Eastern Europe.

13. Against that background, complacency was ruled out. There was a lot of talk about the death of ideologies, but they were being replaced by others which were just as evil. Apart from the extreme right and neo-Nazi movements, religious fundamentalism was springing up almost everywhere in an alarming way, creating confusion between religious faith and politics and slipping dangerously towards totalitarianism. The democracies should not therefore, leave themselves wide open to the resurgence of obscurantist forces which endangered them. It was all very well having the support of well-established human rights texts, but it was also necessary to have the courage to implement them.

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14. Mr. VARGAS GOMEZ (International Association of Educators for World Peace), said that, as a former political prisoner in Cuba for 21 years, he had hoped that the profound political and ideological changes occurring in Europe would put an end to the obvious contradiction between the basic principles upon which the United Nations Organization had been founded and the constitution, structure and practices of the Governments of many of its Member States, which blatently violated those principles. The United Nations had so far managed to survive those problems, although with much difficulty, compelled as it was to go back on its word, get around justice and, in many cases, refrain from telling the truth. Thus it was that Cuba, a classic example of totalitarian ideology and practice and of the systematic denial of human rights was nevertheless a member of the Commission on Human Rights.

15. The great political and social crisis in Eastern Europe was a clear indication of the peoples' loathing for the totalitarian communist régimes to which they had been subjected. The changes had been made possible because the shrewdest of the leaders had finally recognized the value of democracy, of the principles of the Universal Declaration of Human Rights and of the International Covenant on Civil and Political Rights, the foundation of every democratic society and, in the last analysis, the prerequisite for genuine peace.

16. It was astonishing therefore that the new current of progressive thought had still not reached the United Nations and the Commission on Human Rights. The agenda for the forty-sixth session still showed regrettable omissions. Item 21, for instance referred only to totalitarian ideologies such as nazism, fascism and neo-fascism and made no mention of totalitarian communist and Stalinist ideologies and practices, in spite of their recent rejection by the Warsaw Pact Governments and peoples. There was also an unjustified reluctance to sanction or condemn openly totalitarian régimes such as those of Cuba or Kuwait, yet Kuwait's leaders had had eminent religious dignitaries imprisoned for no reason, and had also banned the association which represented the Shi'ite community, in violation of the freedom to worship. Similarly the continuous exorbitant demands made since 1969 in a climate of organized terror by Colonel Qaddafi should no longer be tolerated. The time had come to take a firmer stand against Governments which violated human rights, and endeavour to establish a world order based on social justice, freedom, progress and peace.

17. With regard more specifically to the measures to be taken against all totalitarian ideologies and practices, it might be recalled that the Statute of the Council of Europe bound its members to respect human rights, under penalty of provisional or permanent exclusion from the Council. Perhaps, in the United Nations, implementation of the International Covenant on Civil and Political Rights could be made mandatory for all Member States without exception, any violation of the provisions of that Covenant being grounds for exclusion. In addition, the procedures for examining complaints alleging violations of human rights should be liberalized.

18. The fact that 94 States had ratified the International Covenant on Civil and Political Rights and that many of them were, nevertheless, guilty of large-scale human rights violations, merited some thought. That sort of hypocrisy should be brought to an end and provision made for the expulsion from the United Nations of States which were not prepared to honour their commitments.

19. Mr. EYA-NCHAMA (International Movement for Fraternal Union among Races and Peoples) said that various measures were needed to prevent the continued reign of totalitarian ideologies and practices such as persisted in South Africa, for example, starting by reducing or limiting the terms of office of political leaders. In many States of the Americas, the term of office of the Head of State was limited either to six years, non-renewable, to four years, renewable once only or even, in some cases, to one four-year, non-renewable, term. Namibia's political Constitution was therefore to be commended in establishing a presidential term of five years, renewable only once. The African States would do well to follow that example.

20. Many of the contemporary conflicts were the result of past totalitarian practices and régimes. That was so, for example, in the case of the nationality conflicts in the Soviet Union, where the Armenians in the autonomous region of Nagorny-Karabakh were still suffering from the sad consequences of Stalin's arbitrary decision to enclose it within the Azerbaijan SSR. Living in terror, subjected to racial and religious intolerance, and victims of economic, social and cultural underdevelopment imposed by the authorities of Azerbaijan, the Armenian population of Nagorny-Karabakh had recently requested annexation to the Armenian SSR, a request that had led to systematic and bloody reprisals by the Azeris, without the Soviet Army intervening. At the forty-first session of the Sub-Commission on the Prevention of Discrimination and Protection of Minorities, his organization had called for an inquiry into the massacres of the Armenians, but very little had been done so far. The disturbances and massacres had continued and spread to other republics such as the Uzbek and Tadzhik SSRs, their main cause being the nationality conflict. However, the Muslim majorities in Azerbaijan, Uzbekistan and Tadzhikistan used the religious factor as a pretext for discriminating against the Christian Armenians. A certain section of the Turkish press had encouraged persons hankering after pan-Turkic aspirations while, in Afghanistan, large extremist groups invoked the Muslim religion to scorn the rights of the Armenians, which led to fear of another act of genocide against them.

21. In an attempt to find a solution to those dangerous conflicts, his organization suggested to the Commission on Human Rights, to the States concerned and more particularly to the Soviet Union, a resolution aimed at the immediate strengthening of the forces of order to protect the Armenians, to end forthwith the transfer of Armenian refugees to other Soviet republics, to evacuate Armenian refugees and victims as soon as possible to safer places, to lift the land blockade imposed by Azerbaijan, to respect the principle of the self-determination of peoples by agreeing to annex Nagorny-Karabakh to the Armenian SSR, to arrest those directly and indirectly responsible for the massacres and other human rights violations, to recommend that States bordering on the distrubed republics do nothing which might foster racial, ethnic and religious hatred, and to urge the States concerned - particularly the Soviet Union and its federated republics - to comply strictly with articles 2 to 7 of the International Convention on the Elimination of All Forms of Racial Discrimination.

22. Mr. LITTMAN (World Union for Progressive Judaism) said that the world was currently witnessing a disturbing reawakening of racial intolerance and moral degradation, all too often rooted in neo-Nazi, neo-Fascist and Stalinist ideologies, accompanied by anti-Semitism or anti-zionism. Certain racial overtones in some Western democracies and the serious ethnic and national

strife in Eastern Europe and the Soviet Union, were ominous portents for the future. Newly installed Governments, genuine reformers, were faced with the dilemma of trying to implement a policy of perestroika and coping with national conflicts.

23. The Eastern European States which had recently recovered their freedom and demonstrated their independence by immediately re-establishing their diplomatic links with Israel would do well, as would a number of other countries, to distance themselves publicly from General Assembly resolution 3379 (XXX), which equated zionism with racism. The Middle East had always been a cauldron of ethnic and religious strife in which the rights of minorities had been denied. It represented the spiritual origins of over half mankind and was a potential source of great prosperity for its tens of millions of inhabitants, yet it was torn apart by nationalist and religious quarrels. There was a remedy, however, and that was to create the "Family of Abraham" (or of Ibrahim) and to provide it with a structure that would guarantee peace, safety and freedom. The "United States of the Middle East" could thus take its rightful place in the community of nations and help shape the future of the world. All that was needed was an act of faith on the part of millions of men and women determined to look to the future instead of the past.

24. The first step in creating a "United States of the Middle East" would be a partnership between Israel, Jordan and the Palestinians within the geographical area designated as "Palestine" in the 1921 League of Nations Mandate. The time was ripe to create the "United States of the Middle East" and, if it was soundly structured, there would be no further need for material strength on the part of its individual components. However since the current breathing space might be short, work on the concept should begin forthwith.

25. One of the first steps to be taken in creating the "United States of the Middle East" would be to form a "Council of Abraham" consisting of all men of good will desirous of liberating the peoples of the Middle East from war and servitude. That urgent work should be undertaken jointly by Israel, Jordan and the Palestinians, with the support of the international community as a whole.

26. Mr. PRIELADA (International Federation of Free Journalists) said that he had been astonished to hear the delegation of Iraq state that the Kurds had benefited from the amnesty, like other citizens, and were leading a normal life in their own homes. If that delegation were to be believed, the accusations made against Iraq were intended to discredit the country in the eyes of the world. However, it was perfectly clear that there was a population restructuring operation under way in Iraq which, while not aimed at the Kurds alone made them its primary victims. Iraq had previously refused to allow visits by a special rapporteur and a working group of the Commission, and had hitherto refused the press and journalists access to the ruined villages. However, the Iraqi delegation had recently indicated to the Commission its Government's willingness to allow a visit by a special rapporteur.

27. The Kurds were also persecuted in other countries, such as Turkey and the Soviet Union. The problems of minority groups were not new in the USSR but so far they had always been crushed, whereas, under the liberalizing effect of perestroika, aspirations to national identity were currently emerging. The

awakening of the minorities around the Caspian Sea had provoked widespread ethnic and religious conflicts which escaped the control of the central Government. Stalinist policy was responsible for the loss of human life currently occurring in Armenia and Azerbaijan. The dictatorial Nazi and communist régimes were also at the root of the disturbances in Lithuania, Latvia and Estonia, regions to which Moscow had permitted a certain economic autonomy but had refused to restore the independence it had taken from them in 1940 so as not to destabilize the Soviet empire and thereby endanger the balance of power in Europe. Those three republics, still thriving after 50 years of a planned economy, had paid a very heavy tribute to Marxist ideology and the USSR owed them a special debt.

28. The International Federation of Free Journalists, noting the organized resistance in the Baltic republics, hoped that positive developments in the USSR would continue and that there would soon be a collapse of single-party dictatorship, used to satisfy the personal amibitions of its leaders rather than the interests of the proletariat whose cause they were supposed to be defending. It was to be hoped that the progress being made would lead to a settlement of the problems of the minorities, the restitution of their rights, respect for their national, cultural and religious identities and restoration of their own independent territories.

29. The Federation expressed the same sentiments for all peoples subjected to a totalitarian dictatorship, and welcomed the changes which had come about in Eastern Europe and in South Africa. However, there were still many other regions bedevilled by racial, religious or ideological intolerance and concerning which the Commission on Human Rights would need the co-operation of all democratic countries in order to carry out effectively its humanitarian mission.

30. Mrs. SLESZYNSKA (Christian Democrat International) said that Marxism, as practised in the Soviet Union, was an inhuman ideology which attempted to form a society not around man as he really was but according to an arbitrary and imaginary concept. However, it should be emphasized that the situation was changing and that a good deal of progress was currently being made in the Soviet Union in the area of human rights. Nevertheless, violations still persisted. For example, Arkadi Manoutcharov, a member of the Armenian Parliament, had been arrested in 1988 on various false charges. He had joined the Russian Christian Democratic Union, a party that was a member of Christian Democrat International. His arrest and detention were in breach of the Soviet Criminal Code, article 97 of which limited pre-trial detention to nine months, and of the Constitution of the Soviet Union which guaranteed parliamentary immunity. She accordingly presented the Chairman of the Commission with a petition addressed by 3,000 Soviet citizens to the Attorney-General and Government of the Soviet Union for the purpose of securing Arkadai Manoutcharov's freedom.

31. Christian Democrat International's second appeal to the Government of the USSR concerned the recognition of the Russian Christian Democratic Union as a legal organization. Lastly, it made a plea for the self-determination of the peoples currently making up the Soviet Union. Without desiring the dismantling of the country, her organization urged that the peoples concerned should be given the choice of remaining in the Union or leaving it.

32. Mr. RAIANI (International Organization for the Elimination of All Forms of Racial Discrimination) said that zionism, a racist ideology based on the exclusive rights of those professing the Jewish faith, lay at the heart of the tragedy of the Middle East. It was only natural that a solution to the Jewish problem should have been sought, given that they had been victims of a large share of the atrocities committed during the Second World War. However, the solution proposed for the Jews, namely, the creation in Palestine of a State based on religious and racial considerations, had turned out to be the establishment at international level of the ghetto which the State of Israel had become. Most European States had supported that idea because to them it was the best way of ridding themselves of the Jews. The Zionist leaders had accepted that solution, whose fundamental principle was the creation of a Judaized State and the exploitation of the news media by Zionists outside Israel. As a result, the Palestinians were having to pay for the crimes committed by others.

33. The Zionists encouraged anti-Semitism throughout the world in order to keep the Jews under their control. By playing on their dual allegiance, they had spread confusion among the Jews, who no longer knew how to reconcile their loyalty to their homeland and to Israel. Their interference in the internal affairs of other countries, in an attempt to impose Israeli interests was intolerable and did not augur well for peace. By supporting Israel's Zionist policy, the Jews, once the victims, were allowing anti-Semitism against the Arabs.

34. Arab-Jewish relations had never known such tension. The Zionist experience showed that a racist régime could not coexist peacefully with its neighbours. It was interesting to note that South Africa was the only other State where conditions were comparable to those in Israel. The Jews, like the white South Africans, claimed rights in defiance of all international legal standards and denied the rights of those outside their group. The Zionist régime by its very structure could not exist without constant racial conflict and its current and potential victims included both Arabs and Jews. That régime guaranteed security for no one. Furthermore, it was becoming an ongoing source of insecurity for the rest of the world. It had therefore failed miserably in its search for a solution to the Jewish problem and, at the same time, it was responsible for the tragedy of the Palestinian people.

35. Zionism, which had been condemned by the United Nations General Assembly as a form of racism, had to be abolished, and a policy of mutual acceptance and respect for all religions and all races established in the land of Palestine.

36. Mr. SIMMONS (International Indian Treaty Council) said that, in the beginning, all peoples had been members of a single family - the human race - but, as time went on, human relations had become dominated by racism, nationalism and greed. The existence of a "Commission on Human Rights" was a tragedy in itself, the acknowledgement that Governments did not themselves respect the beauty and dignity of all the people within their national borders.

37. The continuation of racist ideologies, the resurgence of Fascist ideologies and the emergence of neo-Fascist ideologies in the Americas caused considerable concern.

38. In the United States in recent years, there had been an especially strong resurgence of ethnically motivated attacks on coloured people. African Americans, Jews and Catholics continued to be the victims of such groups as the Ku Klux Klan. The Chicanos suffered from attacks by such groups and from the racist policies of government agencies such as the Immigration and Naturalization Service. Arab Americans suffered from a propaganda campaign in the news media, cinema and television, where they were shown as terrorists with no respect for basic human rights. Indigenous peoples suffered racial injustice from the federal Government's genocide policies, from the groups already mentioned and from new groups which often acted with the tacit approval of local and regional government officials. Some of them, including Protect Americans' Rights and Resources (PARR) Nix 456, the Skinheads, Church Universal and Triumphant (CUT) and Ducks Unlimited, which also operated in Canada, were openly and often violently racist and came under the ideologies described in agenda item 21.

39. His organization continued to be concerned about expressions of neo-Fascist ideology by the military forces in Guatemala and El Salvador. In both those countries, leaders of indigenous organizations formed to protect the peoples' human rights had been threatened, attacked, imprisoned, tortured or murdered. The acts of genocide against indigenous peoples seemed to be co-ordinated by the Governments of the two countries: the "Kaibiles" troops were being sent by the Guatemalan Government into El Salvador apparently to massacre Indian people across national borders.

40. He therefore appealed to the Commission to urge those two countries, together with the United States and Canada, to apply the principles of a body in whose deliberations they participated.

41. Mrs. Sinegiorgis (Ethiopia) took the Chair.

42. Mr. LIOR (Observer for Israel) said that one of the few criteria by which the moral standards of the community of nations could be judged was the attitude to the Jewish people. The infamous resolution which equated zionism with a form of racism demonstrated the depths to which international morality had sunk only 45 years after the end of the Second World War. That resolution actually meant that the United Nations was willing to recognize all national movements with the sole exception of zionism, which was the national movement of those who had suffered throughout their history an unrelenting discrimination culminating in near genocide. Furthermore, it continued to encourage those, altogether too numerous, who were convinced that the State of Israel would eventually disappear.

43. The resolution in question was the sort of justice which could be expected from an organization which, while vilifying zionism, sang the praises of the so-called Palestine Liberation Movement, which had contemptuously

rejected the United Nations Partition Plan of 1947 and continued to claim the "right of return", which was a euphemism for destroying the State of Israel. The notorious Palestinian Covenant, which called for the elimination of Israel in stages, had never, of course, been defined as a "form of racism".

44. History showed that attacks against Jews were often the harbinger of other calamities. The resolution equating zionism with racism would continue to hover like the sword of Damocles over the States which supported it, until the sane majority mustered the courage to declare it null and void.

45. Mrs. Quisumbing (Philippines) resumed the chair.

46. Mr. LACK (World Jewish Congress), speaking on behalf of his own organization and of the Co-ordinating Board of Jewish Organizations, said that while the current international context was in some aspects more favourable, the increased intolerance and violence on religious, ethnic, racial or other grounds gave rise to heightened concern. Efforts should therefore be made to strengthen democratic institutions and to promote greater understanding of the importance of human rights values for a tolerant and pluralistic society, free from totalitarian ideologies. While the primary concern was for the future, it was extremely important, however, that the past should not be completely forgotten, nor should the fact that many war criminals or those guilty of crimes against humanity had so far escaped being brought to justice.

47. It was very difficult to decide where the line was to be drawn between one individual's rights and freedoms and another's, as demonstrated in particular by the Rushdie affair. According to article 29 of the Universal Declaration of Human Rights everyone should be subject in the exercise of his rights and freedoms only to such limitations as were determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of general welfare in a democratic society. A true democracy would therefore endeavour to maintain a proper balance between the rights and duties of groups and individuals.

48. The world was currently witnessing a resurgence of neo-fascism, neo-nazism and other totalitarian ideologies, both in the West with the Schönhubers, the Treurnechts and the Le Pens, and in the East with the Pamyat movement, and confrontations between ethnic and religious groups were increasing, particularly in the Soviet Union, Yugoslavia and Lebanon. There was no doubt that, when no reasonable alternatives existed, the authorities should do everything in their power to restore public order and safety. No democratic society could allow racist extremists to destroy, in the name of human rights principles, the very foundations on which that democracy had been built. It should therefore, in accordance with article 20 of the International Covenant on Civil and Political Rights and article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination, take steps to protect the lives, safety, reputation, rights and property of persons who were threatened, and, in general, to put an end to incitement to national, racial or religious hatred.

49. It was somewhat alarming therefore to hear such calls made before the Commission. In fact that very morning, at its 51st meeting, the Observer for Syria had launched into a violent anti-Semitic diatribe which, in any other place, would have constituted criminal incitement to racial hatred. On that occasion he had invoked General Assembly resolution 3379 (XXX) which equated zionism with racism. It was high time that the United Nations followed the example of the European Parliament and rejected that pernicious doctrine which adversely affected its reputation.

50. Mr. OMAR (Observer for the Libyan Arab Jamahiriya), speaking in exercise of the right of reply, said, in connection with a statement made at a previous meeting by the representative of the World Jewish Congress, that that representative had quoted only the work of Israeli researchers and that his statements were completely without foundation. The statement by the representative of the International Association of Educators for World Peace had been so confusing and showed such a poor knowledge of the facts that it might be wondered whether he even knew where to find Libya on the map. It was quite obvious that his statement had been drafted by other people, whose motives had nothing to do with the protection of human rights.

51. Mr. GLAIEL (Observer for the Syrian Arab Republic), speaking in exercise of the right of reply, said he was surprised that indignation should have been aroused by a quotation from a General Assembly resolution, and reaffirmed his delegation's strong support for resolution 3379 (XXX) in which zionism was equated with racism.

52. The CHAIRMAN declared the discussion on agenda item 21 closed.

ELECTION OF MEMBERS OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES (agenda item 25) (E/CN.4/1990/48 and Add.1-4 and E/CN.4/1990/88 and Add.1)

53. The CHAIRMAN invited the members of the Commission to elect 13 members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities for a term of four years. She drew their attention to document E/CN.4/1990/48 and Add.1-4, containing information on the candidates, and pointed out that members could vote only for the maximum number of candidates indicated for each group.

54. At the invitation of the Chairman, Mrs. Regazzoli (Argentina) and Mr. Ditchev (Bulgaria) acted as tellers.

55. The vote was taken by secret ballot.

56. The CHAIRMAN said that the 43 ballot papers placed in the box had all been declared valid. She then announced the results of the vote, indicating for each regional group the name of the candidate, the country which had proposed the candidature and the number of votes obtained.

57. The results were the following:

AFRICA

Candidate	Member State	Number of votes obtained
Mrs. Fatima Ksentini	Algeria	27
Mr. Jean Marie Apiou	Burkina Faso	0
Mr. Laurent Nzeyimama	Burundi	4
Mrs. Thérèse Dejean	Central African Republic	0
Mr. Nainla Ngarry-Mbailao	Chad	0
Mr. Anoman Oguie	Côte d'Ivoire	1
Mr. Hassan Jallow	Gambia	19
Miss Judith Attah	Nigeria	33
Mr. El Hadj Guisse	Senegal	30
Mr. Yawovi Agboyibo	Togo	8
Mr. Stephen Kokerai	Zimbabwe	4

ASIA

Candidate	Member State	Number of votes obtained
Mr. Tian Jin	China	36
Mr. Rajindar Sachar	India	40
Mr. Mohammad-Javid Zarif	Iran	4
Mr. Awn Shawkat al-Khasawneh	Jordan	35
Mr. Mohamad Majzoub	Lebanon	6

EASTERN EUROPE

Candidate	Member State	Number of votes obtained
Mr. Stanislav Chernichenko	Union of Soviet Socialist Republics	42

LATIN AMERICA

Candidate	Member State	Number of votes obtained
Mr. Leandro Despouy	Argentina	39
Mr. Gilberto Vergne Saboia	Brazil	35
Mr. Luis Varela Quirós	Costa Rica	15
Miss Radhys Abreu de Polanco	Dominican Republic	2
Mr. Claude Heller	Mexico	36

WESTERN EUROPE

Candidate	Member State	Number of votes obtained
Mr. Louis Joinet	France	37
Mrs. Erica-Irene Daes	Greece	31
Mr. Eugenio Gay Montalvo	Spain	24
Mrs. Claire Palley	United Kingdom of Great Britain and Northern Ireland	28

58. The following candidates were therefore elected members of the Sub-Commission for a four-year term, until 1994:

For Latin America: Mr. Despouy (Argentina), Mr. Saboia (Brazil) and Mr. Heller (Mexico)

For Eastern Europe: Mr. Chernichenko (USSR)

For Asia: Mr. Tian Jin (China), Mr. Sachar (India) and Mr. Al-Khasawneh (Jordan)

For Africa: Mrs. Ksentini (Algeria), Miss Attah (Nigeria) and Mr. El Hadj Guisse (Senegal)

For Western Europe: Mr. Joinet (France), Mrs. Daes (Greece) and Mrs. Palley (United Kingdom)

59. Mr. HAMDAN (Observer for Lebanon) thanked all the members of the Commission who had voted for the candidate proposed by his Government, even though his candidature had been withdrawn one week previously.

60. Mr. ATTE (Observer for the Côte d'Ivoire) also thanked all the delegations who had voted for his Government's candidate, but pointed out that his candidature had been withdrawn.

61. The CHAIRMAN invited the members of the Commission to take a decision on the candidature of Mr. Khalifa and his alternate Mr. Ahmed Tawfik Khalil, for the balance of the term, which was to end in 1992. She recalled the decision taken by the Economic and Social Council in its resolution 1983/32 and reproduced in document E/CN.4/1990/88.

62. Mrs. SINEGIORGIS (Ethiopia), supported by the delegations of Morocco and Senegal, proposed that, in accordance with usual practice, the Commission should appoint the two candidates without a vote.

63. The CHAIRMAN said that, if she heard no objection, she would take it that the Commission wished to adopt that proposal.

64. It was so decided.

CONSIDERATION OF DRAFT RESOLUTIONS UNDER AGENDA ITEMS 10 and 14

Consideration of draft resolutions under item 10

Draft resolution E/CN.4/1990/L.46

65. Mr. GOMPERTZ (France), introducing draft resolution E/CN.4/1990/L.46 on behalf of the sponsors, said that the persistence of hostage-taking had made it necessary to present a new draft resolution on that odious practice, which could not be justified on political or any other grounds. As long as a single hostage remained anywhere in the world, the international community must continue to indicate its censure and to exert the necessary pressure to obtain the release of the persons detained or abducted and their return to their families.

66. Two new elements had been introduced as compared with previous resolutions. First, a general reference had been made in the fourth preambular paragraph to the "international instruments relating to human rights and other relevant international instruments". That referred, in particular, to the International Convention against the Taking of Hostages, approved by the General Assembly by its resolution 34/146 of 1979, although that instrument had not been specifically mentioned because some countries, including France, had been unable to ratify it. Secondly, in operative paragraph 3, an appeal was made for the humanitarian action of the International Committee of the Red Cross and its delegates to be respected in all circumstances, as it was well known that ICRC delegates who had been working for the stricken population, were still forcibly detained.

67. His delegation hoped that the draft resolution on hostage-taking would be adopted by consensus, as in previous years.

68. The CHAIRMAN said that the delegation of Ireland had become a sponsor of the draft resolution.

69. Mr. SENE (Senegal) said that, in 1972, the Secretary-General had first brought the question of hostage-taking to the attention of the General Assembly within the context of measures to prevent international terrorism. In 1976, the General Assembly had declared hostage-taking to be an

act which endangered innocent lives and that it was a violation of the dignity of the human person, and in 1979, by resolution 34/146, it had adopted the International Convention against the taking of Hostages.

70. In the climate of détente which currently prevailed in international relations, the United Nations should do its utmost to put an end to that practice which was a serious threat to peace and compromised the understanding between peoples and nations. His delegation was anxious that steps should be taken in the context of the international instruments on human rights to put an end to hostage-taking. It supported, in particular, the appeal in draft resolution E/CN.4/1990/L.46 for respect for the humanitarian action of the ICRC and its delegates. It hoped that the ICRC delegates currently being forcibly detained would soon be freed and would be able to continue their mission.

71. His delegation supported the draft resolution, because the adoption of measures to prevent and eliminate hostage-taking was the only approach consistent with the spirit of international co-operation.

72. Draft resolution E/CN.4/1990/L.46 was adopted without a vote.

Draft resolution IX, submitted by the Sub-Commission (E/CN.4/1990/2, chapter I, section A)

73. Mr. RAVEN (United Kingdom) said that, while his delegation supported draft resolution IX on the use of force by law enforcement officials, it wished to introduce three amendments because it considered it premature to ask Governments to incorporate into their national legislation standards which had not yet been adopted. It therefore proposed that the first phrase of operative paragraph 1, subparagraph (a), be replaced by the following: "To take into account and respect, within the framework of their national rules and regulations and practice ...". In operative paragraphs 1, subparagraphs (b) and (c), as a consequential amendment the words "corresponding national legislation" would be replaced by "the relevant national rules and regulations". His delegation hoped that the draft resolution thus amended would be adopted without a vote.

74. The CHAIRMAN said that, if she heard no objection, she would take it that the Commission wished to adopt the amendments to Sub-Commission draft resolution IX which had been proposed by the United Kingdom delegation.

75. It was so decided.

76. Draft resolution IX, submitted by the Sub-Commission in its report (E/CN.4/1990/2, chapter I, section A) as amended, was adopted without a vote.

Consideration of draft resolutions under agenda item 14

Draft resolution E/CN.4/1990/L.54

77. Mr. CAMPBELL (United Kingdom), introducing draft resolution E/CN.4/1990/L.54 on behalf of the sponsors, said that, in accordance with Economic and Social Council resolution 1989/76, a Working Group had met at Geneva from 8 to 19 January 1990 to examine, revise and simplify, as necessary,

the draft body of principles and guarantees for the protection of the mentally ill and the improvement of mental health care, which had been prepared by the Sub-Commission. That Working Group, composed of representatives of Governments, the World Health Organization and a large number of non-governmental organizations, had made significant progress in its work on account of the positive and constructive attitude of all those taking part. Draft resolution E/CN.4/1990/L.54 took note of the Working Group's report (E/CN.4/1990/31) and also noted the Working Group's view that its task could be completed within an acceptable time-scale if it were authorized to meet for a further session of two weeks before the next session of the Commission. While the Working Group had made no specific recommendation with regard to the timing of a second meeting, there had been a general feeling that it would be advantageous to allow a longer interval between its meeting and the next session of the Commission than had been the case in the current year.

78. The sponsors of the draft resolution hoped that the Working Group would be allowed to continue its work and might be able to submit to the Commission at its next session a revised draft body of principles and guarantees for its consideration. It should not be forgotten that the text was designed to protect the interests of a particularly vulnerable social group. His delegation hoped that the draft resolution would be adopted by consensus.

79. Draft resolution E/CN.4/1990/L.54 was adopted without a vote.

The summary record of the second part of the meeting appears as document E/CN.4/1990/SR.52/Add.1